

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**ADELINA VELASCO DELANDEROS
and MARISELA VELASCO,**

Plaintiffs,

vs.

HOLLY JAYNE HUNT,

Defendant.

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CASE NO. 1:16-cv-69

JOINT RULE 26(F) CONFERENCE REPORT

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Pursuant to Rule 26 of the Federal Rules of Civil Procedure, the Parties conducted a Rule 26(f) conference by telephone on March 9, 2016. In attendance at the telephonic conference were: Scott Braden on behalf of Plaintiffs and Katherine Knight on behalf of Defendant. The Parties submit the following Joint Report, which summarizes the substance of the telephonic conference:

1. The nature and basis of the Parties' claims or defenses;

Plaintiffs assert that on or about November 28, 2014, they were injured in a rear-end motor vehicle collision that was proximately caused by the negligent acts and omissions of Defendant (i.e., failing to control her speed, failing to timely apply the brakes, and failing to keep a safe following distance).

Defendant denies each and every one of the allegations made by Plaintiffs, and contends that Defendant was not negligent on or about November 28, 2014. Defendant reserves the right to challenge whether Plaintiffs' medical and billing records are admissible and/or establish recoverable damages to Plaintiffs.

2. The possibilities for promptly settling or resolving the case;

The Parties intend to engage in written discovery, and Defendant intends to promptly take the deposition of Plaintiffs. The Parties agree to evaluate settlement possibilities at that time.

3. Exchange of disclosures required by Federal Rule of Civil Procedure 26(a)(1);

No later than April 8, 2016, the Parties will provide the information required by Rule 26(a)(1) of the Federal Rules of Civil Procedure, including Plaintiffs' medical records authorizations. If Plaintiffs intend to claim lost wages, Plaintiffs will also provide employment records authorizations.

4. Preserving discoverable information;

The Parties do not anticipate any issues concerning the preservation of discoverable information or electronic communications.

5. Proposed Discovery Plan

(A) What changes should be made in the timing, form, or requirement for disclosures under Rule 26(a), including a statement of when initial disclosures were made or will be made;

None. Initial disclosures under Rule 26(a) will be made by April 8, 2016.

(B) The subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused on particular issues;

The Parties agree that discovery should include liability for the subject incident, as well as Plaintiffs' claims for damages, including without limitation Plaintiffs' medical bills and lost wages claims.

(C) Any issues about disclosure, discovery, or preservation of electronically stored information, including the form or forms in which it should be produced;

None anticipated.

- (D) **Any issues about claims of privilege or of protection as trial-preparation materials, including – if the parties agree on a procedure to assert these claims after production – whether to ask the Court to include their agreement in an order under Federal Rule of Evidence 502;**

The Parties do not anticipate any issues concerning claims of privilege or protection as trial-preparation materials.

- (E) **What changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed; and**

None anticipated.

- (F) **Any other orders that the Court should issue under Rule 26(c) or under Rule 16(b) and (c).**

The Parties will draft an agreed scheduling proposal and present it to the Court for consideration.

The Parties request a pretrial conference.

Respectfully submitted,

By: /s/ Scott Braden with permission

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